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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,449	09/30/2003	Dennis R. Conti	BUR920030050US1	2448
26679	7590	07/27/2005	EXAMINER	
DRIGGS, LUCAS, BRUBAKER & HOGG CO. L.P.A. 38500 CHARDON ROAD DEPT. IBU WILLOUGHBY HILLS, OH 44094			HOLLINGTON, JERMELE M	
			ART UNIT	PAPER NUMBER
			2829	

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/605,449

Applicant(s)

CONTI ET AL.

Examiner

Jermele M. Hollington

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4-7 and 10-12 is/are rejected.
- 7) ☒ Claim(s) 2-3, and 8-9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 4-7 and 10-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Gamache et al (6577146).

The applied reference has a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C.

102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention “by another,” or by an appropriate showing under 37 CFR 1.131.

Regarding claim 1, Gamache et al disclose [see Figs. 1-2] a method of controlling the burning in of at least one I/C chip (IC chip 12) in a burn in tool (test fixture 8), wherein said tool (8) has a device (socket 22) for mounting each chip (12) to be burned in, and a power source (power source 22) to supply electrical current to burn in each chip (12), comprising the steps of: continuously monitoring [via computer 48] at least one electrical value input to each chip (12) selected from the group of current, voltage and power, and varying the voltage [via combination

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of computer 48, power sensor 46 and power source 44] to maintain at least one of the values at or below a given value.

Regarding claim 4, Gamache et al disclose each device temperature is monitored [via chip heat sensor 42] and the voltage to each device is varied [via combination of computer 48, power sensor 46 and power source 44] to maintain the device (22) at or below a given temperature.

Regarding claim 5, Gamache et al disclose a heat sink (heat sink 28) in contact with the device (22).

Regarding claim 6, Gamache et al disclose the device temperature of each device (22) is monitored [via chip heat sensor 42] and the temperature of the heat sink (28) is varied [via computer 48] to maintain the device temperature at a given value.

Regarding claim 7, Gamache et al disclose a burn in tool (test fixture 8) for burning in at least one I/C chip (IC chip 12) comprising: a structure (socket 22) for mounting each chip (12) to be burned in; a power source (power source 44) to supply electrical current to burn in each chip; a structure (computer 48) for continuously monitoring at least one electrical value input to each chip (12) selected from the group of current, voltage and power, and a structure (combination of power source 44 and power sensor 46) to vary the voltage to maintain at least one of the values at or below a given value.

Regarding claim 10 Gamache et al disclose a monitor (chip heat sensor 42) to continuously monitor the temperature value of each chip (12) being burned in and wherein the voltage is varied [via combination of computer 48, power sensor 46 and power source 44] to maintain the temperature value of each device at a given value.

Regarding claim 11, Gamache et al disclose a heat sink (heat sink 28) is in contact with each device (22).

Regarding claim 12, Gamache et al disclose the tool (8) has a heat sink (heat sink 28) and temperature monitor (chip heat sensor 42) for each device (22) and each heat sink (28) has means (temperature sensor 38) to control the temperature of the heat sink (28), and the temperature control means [via combination of computer 48, power sensor 46 and power source 44] is varied to maintain the temperature value of each device (22) at a given value.

Conclusion

3. Applicant's arguments filed May 23, 2005 have been fully considered but they are not persuasive.

Regarding claim 1, the applicants' argue: "... it should be noted that Gamache et al do not teach or suggest varying an input of any parameter to maintain any value at the chip."

In regard to the above argument, the examiner disagrees. The limitation states: "continuously monitoring at least one electrical value input to each chip selected from the group of current, voltage and power, and varying the voltage to maintain at least one of the values at or below a given value." In col. 5, line 35- col. 6, line 2 it states:

"A program then runs the initial step to perform, at low power, as described above, the test to determine the measured thermal resistance of each device. The computer compares the calculated maximum allowable value of the thermal resistance with the measured value for each chip to determine if the measured value for any chip is greater than the calculated maximum allowable value... If all chips are within limits, i.e., have a measured thermal resistance less than the calculated maximum allowable value, then the program proceeds to the next step where the actual burn-in tests are performed step by step until the end of the run.

However, if there is one or more chips that are not within performance limitation, i.e. that have a thermal resistance at the interface between the heat sink 28 and the chip 12 greater than the calculated maximum allowable value, this is noted and the test run is not continued. The necessary corrective action can be taken as described above. Once the corrective action has been taken, the first step is again initiated and this is repeated until all of the devices fall within the allowable limits of calculated thermal resistance or that chip section 24 is disabled. At that time and only at that time does the burn-in and test procedure continue."

From the examiner's view base on the above section of Gamache et al, they determined the maximum power input to the IC chip, then start testing at low power and increasing power step by step until it reaches its performance limitation. If it is over its performance limitation, the test will not continue and corrective action will be taken and test run again until all ICs are within the limits.

Since the examiner has not change the rejection above the following is being applied.

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

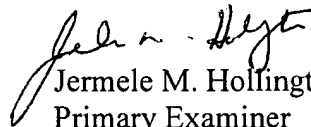
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jermele M. Hollington whose telephone number is (571) 272-1960. The examiner can normally be reached on M-F (9:00-4:30 EST) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (517) 272-2034. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jermele M. Hollington
Primary Examiner
Art Unit 2829

JMH
July 22, 2005